

REMARKS

In the Office Action dated October 19, 2005, claims 46-52 were rejected under 35 U.S.C. § 101 as being drawn to non-statutory subject matter; claims 1-22, 39, and 41-52 were rejected under § 102 over U.S. Patent No. 6,298,474 (Blowers); and claims 34 and 35 were rejected under § 103 over Blowers in view of U.S. Patent No. 6,587,969 (Weinberg).

REJECTION UNDER 35 U.S.C. § 101

Claims 46-52 were rejected under § 101 because the Office Action asserted that these claims were “non-statutory because they are directed to a ‘computer program’ without recitation of a computer or a computer-readable medium embodying the program.” 10/19/2005 Office Action at 2. Applicant respectfully disagrees with this assessment, since claim 46 does in fact recite that the program is stored on a computer-readable medium, and that the program when executed causes a computer to perform the recited acts. However, to place the claims in better form, Applicant has amended the preamble of claim 46 to now recite a computer-readable medium storing a computer program that when executed causes a computer to perform the recited acts. This amendment does not narrow the scope of the claims.

Withdrawal of the § 101 rejection is respectfully requested.

REJECTIONS UNDER 35 U.S.C. §§ 102 AND 103

It is respectfully submitted that amended independent claim 1 is not anticipated by Blowers. Claim 1 now recites that the first window presents a first panel configured to present a sequence as a hierarchical tree structure, where the sequence includes devices and associated commands, and each of the devices in the sequence is at a different hierarchical level than a hierarchical level of the one or more commands associated with the device.

The Office Action cited Figs. 7-9 of Blowers as disclosing the subject matter of claim 1. Note that in these figures, only one “product name” folder is displayed. In fact, as stated by Blowers, the product folder represents the lowest level of the tree structure, and “[o]nly one product folder can be viewed from the task sequencer at one time.” Blowers, 10:17-19. In contrast, claim 1 recites a first window presenting a first panel configured to present *plural* devices and associated commands of a sequence as a hierarchical tree structure. In Blowers, only one product folder can be presented at a time – therefore, Blowers cannot present plural devices and associated commands.

With respect to amended independent claim 14, Blowers does not disclose displaying results of execution of a sequence, in which the results displayed contain the commands in the sequence and information identifying devices associated with the commands. In Blowers, in Fig. 19, the “sequence 33 results” screen identifies commands (acquire, alignment, template, blob), a job (job 1), a conditional statement (if ... then ... else ...), but does not identify devices associated with any commands. Therefore, claim 14 is not anticipated by Blowers.

Independent claim 46 is also not anticipated by Blowers. Claim 46 recites displaying a sequence of steps on a display device, where the steps *include* respective devices and commands. As noted in Blowers, the product folder, indicated as being a “product name” icon in Fig. 6, represents the lowest level of a tree structure. Therefore, to the extent that the product folder is considered by the Office Action as being the device recited in claim 46, it is noted that the product folder of Blowers cannot be included in a step, as recited in claim 46.

Independent claim 34 was rejected as being obvious over Blowers and Weinberg. In view of the amendment of claim 34 and the arguments presented above with respect to claim 1, it is respectfully submitted that the hypothetical combination of Blowers and Weinberg does not

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teach or suggest the invention of claim 34. Therefore, withdrawal of the obviousness rejection of claim 34 is respectfully requested.

Dependent claims, including newly added dependent claims 53-56, are allowable for at least the same reasons as corresponding independent claims.

Allowance of all claims is therefore respectfully requested. The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 08-2025 (10004943-1).

Respectfully submitted,

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